

REMARKS/ARGUMENTS

The Office Action mailed September 30, 2003 has been reviewed and carefully considered. The Examiner's reconsideration is respectfully requested in view of the above amendments and the following remarks.

Claims 1, 2, 9, 18, 19, and 20 have been amended. New Claims 29-32 have been added. Claims 1-32 are pending in the present application.

Claims 1-3, 5-12, 14-22 and 24-27 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,280,327 B1 to *Leifer et al.* (hereinafter "*Leifer*") in view of U.S. Patent No. 6,213,880 B1 to *Sim* (hereinafter "*Sim*"). Claims 4, 13 and 23 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Leifer* in view of *Sim*, and further in view of *Lawson* "Infrared wireless LANs offer switched bandwidth" (hereinafter "*Lawson*").

It is respectfully submitted that *Leifer*, taken singly or in any combination with *Sim* and/or *Lawson*, does not disclose or suggest the invention as claimed in independent claims 1, 9, 18, 19, and 20. *Leifer* is primarily directed towards converting game console designed for use with wired game controllers for use with wireless game controllers. More particularly, the wireless game control units of *Leifer* each include a controller having at least one user operable switch and wireless transmitter circuitry for transmitting **game information** including an auto activate signal. In *Leifer*, a console interface is also disclosed having wireless receiver circuitry for receiving the game information from the controller and modifying it so that an activate signal is continuously sent from the console interface to the console, wherein at least one object in a game being played with the video game system is continuously activated via the console interface in response to

the received auto activate signal. Thus, it is clear *Leifer* teaches a means for converting a game console which uses wired game controllers into a game console that can operate using wireless game controllers.

In stark contrast, the claimed invention is a dedicated DVD remote control transmitter or a universal remote controller for specifically controlling the **non-gaming** functions (e.g., DVD functions) of a video game console **that is capable of playing DVDs**. In fact, Claims 1, 9, 18, 19, and 20 each recite, *inter alia*, that the dedicated DVD remote control transmitter or the universal remote controller **have an absence of control over game functions of the video game console at all times**. Specifically, *Leifer* fails to disclose the use of a separate or **dedicated** DVD remote control transmitter for wirelessly transmitting **DVD player control commands with an absence of control over game functions of the video game console at all times**, as essentially claimed in claims 1, 9, 18, 19, and 20.

The Examiner has cited *Sim* for showing DVD navigation capability in a game controller device. Despite the Examiner's contention in the Office Action, it is respectfully submitted that *Sim* does not cure the deficiencies of *Leifer*. *Sim* teaches a wired game pad providing complete application-specific programmability by the use of a translator module and keymap files. In *Sim*, DVD navigation capability is fully integrated with the **game pad**, which also allows a user to control games requiring a keyboard, a joystick or mouse input.

It is respectfully submitted that the combination of *Leifer* and *Sim* teaches away from applicant's claimed invention. *Leifer* teaches a wireless game controller and wireless adapter which admittedly converts a game console designed for use with wired

game controllers into a console operable with wireless game controllers. As stated by the Examiner (Page 5, lines 17 to Page 6, line 2 of the Examiner's Action) "It would have been obvious at the time of the invention was made to include a translator module in the controller system of *Leifer* so that DVD navigation may be fully integrated with the game pad...". Thus, the combination of *Leifer* with *Sim*.

Thus, it is abundantly clear that both *Leifer* and *Sim* teach the use of a **game controller** and therefore the combination of these references will inherently result in the use of additional menus or button association by the user of a game controller in order to control any non gaming functions of the video game console and therefore teaches away from the applicant's claimed invention in claims 1 and 10 which recite, *inter alia*, "a dedicated DVD remote control transmitter" whose purpose is to eliminate the game controller for controlling the non-game functions of a video game console. Withdrawal of this rejection is respectfully requested.

Lawson does not cure the deficiencies of *Leifer* and/or *Sim*. That is, *Leifer*, taken singly or in any combination with *Sim* and/or *Lawson*, does not disclose or suggest the invention as claimed in independent claims 1, 9, 18, 19, and 20.

Claims 2-8, 10-17, and 21-27 depend either directly or indirectly on Claims 1, 9, and 20, respectively, and thus include all of the limitations of Claims 1, 9, and 20, respectively.

As such, the Applicant respectfully submits that the dependent claims are patentable and nonobvious for at least the reasons given above for Claims 1, 9, and 20.

Accordingly, the Applicant respectfully requests withdrawal of all the rejections under 35 U.S.C. §103(a), and early allowance of pending claims 1-27 on the merits.

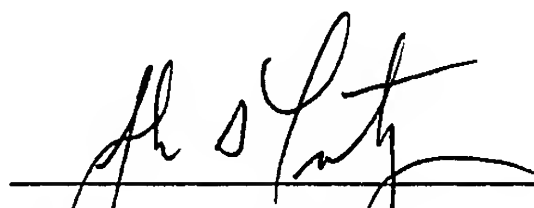
Moreover, new Claims 29-32 have been added. Claims 29, 30, 31, and 32 depend from Claims 1, 9, 18, 19, and 20, respectively, and thus include all of the limitations of Claims 1, 9, 18, 19, and 20, respectively. Accordingly, Claims 29, 30, 31, and 32 are patentably distinct and non-obvious over the cited references for at least the reasons set forth above with respect to Claims 1, 9, 18, 19, and 20, respectively.

In view of the foregoing amendments and remarks, it is respectfully submitted that claims 1-32 are patentable and nonobvious over the cited references. Consequently, the Applicant respectfully requests reconsideration and withdrawal of the rejections and allowance of the application. Such early and favorable action is earnestly solicited.

A check for \$45.00 is enclosed with a fee transmittal to cover the fee for the 5 new dependent claims being submitted herewith. In the event that any additional fees or charges are required at this time in connection with the application, they may be charged to applicant's representatives Deposit Account No. 50-1433.

Respectfully submitted,

By:



John G. Tutunjian
Registration No. 39,405

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Mailing Address:

Keusey, Tutunjian & Bitetto, P.C.
14 Vanderventer Avenue, Suite 128
Port Washington, NY 11050
Tel.: (516) 883-3868
Fax: (516) 883-3869